

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

ANTHONY D. GORDON, # 65885

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:05cv234-MTP

JIMMY TURNER, ET AL.,

DEFENDANTS

ORDER OF DISMISSAL

This cause comes before the Court *sua sponte*. Plaintiff filed a Notice of Dismissal [102] on January 24, 2008, stating that he was dismissing this case without prejudice. By text order dated January 25, 2008, this court construed the Notice as a Motion to Voluntarily Dismiss pursuant to Rule 41 of the Federal Rules of Civil Procedure. Defendants were informed that if they desired to object to the motion, they should file their response(s) on or before February 1, 2008; otherwise, this court would grant the motion as unopposed. Defendants have not filed any response(s) to the motion. Accordingly, the court finds that the motion should be granted as unopposed and that this matter should be dismissed without prejudice.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Motion to Voluntarily Dismiss [102] is granted and that this case is hereby dismissed without prejudice as to all parties.

IT IS FURTHER ORDERED AND ADJUDGED that this matter having been dismissed, all motions pending in this matter are hereby moot and accordingly dismissed.

SO ORDERED AND ADJUDGED this the 4th day of February, 2008.

s/ Michael T. Parker

United States Magistrate Judge